

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

TIMOTHY CRONIN and JOSHUA)	
FULLERTON,)	
)	
Plaintiffs,)	4:17CV3079
)	
v.)	
)	
CHRIS PETERSON, JAMES)	ORDER
PESCHONG, BRIAN JACKSON,)	
TONYA PETERS, WILLIAM)	
KOEPKE, DAREN REYNOLDS, and)	
CITY OF LINCOLN,)	
)	
Defendants.)	
)	

On August 25, 2017, the defendants filed a Motion to Dismiss (Filing No. [13](#)) the plaintiffs' original Complaint (Filing No. [1](#)) for failure to state a claim. On September 14, 2017, the plaintiffs filed an Unopposed Motion for Leave to Amend Complaint (Filing No. [15](#)). Because the plaintiffs will be granted leave to file an amended complaint, the defendants' Motion to Dismiss the original Complaint will be denied as moot.

Accordingly,

IT IS ORDERED:

1. The plaintiffs' Unopposed Motion for Leave to Amend Complaint (Filing No. [15](#)) is granted, and the plaintiffs shall file their Amended Complaint within 10 days of the date of this order; and

2. The defendants' Motion to Dismiss for Failure to State a Claim (Filing No. [13](#)) is denied as moot.

DATED this 20th day of September, 2017.

BY THE COURT:
s/ *Richard G. Kopf*
Senior United States District Judge